



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of:

August 1, 2005

DONALD J. LEWIS, JOHN D. RUSSELL and JOHN O. MICHELINI

Serial No. : 10/805,639

Group Art Unit: 3747

Filed : March 19, 2004

Examiner: Noah Kamen

For : MULTI-STROKE CYLINDER OPERATION IN AN INTERNAL
COMBUSTION ENGINE

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.56, 1.97, 1.98**

Sir:

In compliance with the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97, and 1.98, the following patents, publications, applications, and/or other information are being submitted and disclosed to the Office, including those listed on the enclosed Form PTO-1449, for consideration by the Examiner.

Applicants respectfully request that the disclosed information be made of record and expressly considered by the Examiner during examination of the pending application. Further, Applicants respectfully request that the disclosed items be listed on the face of any patent issuing from the pending application in the "references cited" column.

In accordance with 37 C.F.R. § 1.97 (g), the present information disclosure statement is not a representation that a search has been made.

In accordance with 37 C.F.R. § 1.97 (h), the present information disclosure statement is not an admission that the information cited in the statement is, or is considered to be, material to patentability.

In accordance with MPEP § 609, Applicants respectfully request that if the present application is a continuing application, all information considered by the Office in the parent application be considered in the present application, although it need not be listed on the face of the patent unless resubmitted in this or another information disclosure statement filed in this application.

Finally, the present information disclosure statement is not an admission that the information cited in the statement is, or is considered to be, prior art.

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BASIS FOR CONSIDERATION BY THE OFFICE UNDER 37 C.F.R. § 1.97

☒ 37 C.F.R. § 1.97(c)

The present information disclosure statement is being filed, to the best of Applicants' knowledge and belief, before the mailing of any of: a final action under 37 C.F.R. § 1.113, a notice of allowance under 37 C.F.R. § 1.311, or an action that otherwise closes prosecution in the application.

☐ Applicants certify that each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

☐ Applicants certify that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the information disclosure statement.

OR

☐ A check in the amount of _____ is enclosed.

☒ Please charge the fee set forth in 37 C.F.R. § 1.17(p) to Deposit Account 06-1510.

CONTENT OF INFORMATION DISCLOSURE STATEMENT 37 C.F.R. § 1.98

The present information disclosure statement includes any information noted above, along with a Form PTO-1449 (4 pages).

If applicable, a legible copy of the following is being included:

(1) Each publication (identified by published, author (if any), title, relevant pages of the publication, date, and place of publication)...


If there are any questions regarding this submission, please contact the undersigned...

CERTIFICATE OF MAILING

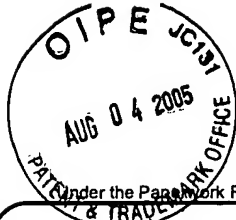
I hereby certify that this correspondence is being sent via first class mail addressed to Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on August 1, 2005


Lauren Barberena

Respectfully submitted,
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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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Substitute for form 1449/PTO

**INFORMATION DISCLOSURE
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Complete if Known

Application Number	10/805,639
Filing Date	March 19, 2004
First Named Inventor	Donald J. Lewis
Art Unit	3747
Examiner Name	Noah Kamen
Attorney Docket Number	81100256

Sheet 1 of 4

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 3,828,247	08-06-1974	Kirsch et al	
		US- 3,865,088	02-11-1975	Links	
		US- 4,009,695	03-01-1977	Ule	
		US- 4,976,228	10-13-1989	Kawamura	
		US- 4,990,854	02-05-1991	Friz	
		US- 5,117,790	06-02-1992	Clarke et al	
		US- 5,190,013	01-10-1992	Dozier	
		US- 5,408,958	04-25-1995	Esch et al	
		US- 5,442,515	11-23-1994	Wallaert	
		US- 2004/0206068	10-21-2004	Michelini	
		US- 5,636,601	06-10-1997	Moriya et al	
		US- 5,934,231	08-10-1999	Schmitz et al	
		US- 5,992,153	11-30-1999	Tsuchihashi et al	
		US- 5,617,829	04-05-1997	Bidner et al	
		US- 5,930,992	08-03-1999	Esch et al	
		US- 5,957,095	09-28-1999	Kako	
		US- 6,050,231	04-18-2000	Tisch et al	
		US- 6,062,186	05-16-2000	Barnes et al	
		US- 6,109,225	08-29-2000	Ogita et al	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Sheet 2 of 4

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		Number-Kind Code ² (if known)			
		US- 6,178,934	01-30-2000	Hirawawa et al	
		US- 6,192,857	02-27-2001	Shimada	
		US- 6,202,608	03-20-2001	Yamaki et al	
		US- 6,216,652	03-27-2000	Gramann et al	
		US- 6,332,445	12-25-2001	Voss et al	
		US- 6,333,843	12-15-2000	Boie et al	
		US- 6,363,907	10-11-2000	Arai et al	
		US- 6,367,437	03-02-2001	Nakamura et al	
		US- 6,374,783	04-23-2002	Toriumi	
		US- 6,382,193	11-20-2000	Hori et al	
		US- 6,389,806	05-21-2002	Glugla et al	
		US- 6,390,038	05-21-2002	Di Lieto et al	
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		US- 6,401,684	12-15-2000	Hori et al	
		US- 6,415,601	07-09-2002	Glugla et al	
		US- 6,422,185	07-23-2002	Duesmann et al	
		US- 6,460,500	09-11-2000	Ooyana et al	
		US- 6,505,113	10-22-2000	Eichensener et al	
		US- 6,526,745	11-24-2000	Ogiso	

FOREIGN PATENT DOCUMENTS

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		Number-Kind Code ² (if known)			
		US- 6,546,910	04-15-2003	Tanaka et al	
		US- 6,550,240	04-22-2003	Kolmanovsky et al	
		US- 6,553,961	04-29-2003	Hammoud et al	
		US- 6,619,245	09-16-2003	Fujiwara et al	
		US- 6,637,386	10-28-2003	Murata et al	
		US- 6,647,947	11-18-2003	Boyer et al	
		US- 6,681,173	01-20-2004	Turner et al	
		US- 6,718,928	04-13-2004	Brueggen et al	
		US- 6,736,121	05-18-2004	Surnilla	
		US- 6,763,707	07-20-2004	Kumagai et al	
		US- 6,766,641	07-27-2004	Surnilla et al	
		US- 6,772,723	08-10-2004	Aoki et al	
		US- 6,785,603	08-31-2004	Inoue	
		US- 2002/0038541	04-04-2002	Surnilla et al	
		US- 2002/0157630	10-31-2002	Gerhard et al	
		US- 2003/0051465	03-20-2003	Kolmanovsky et al	
		US- 2003/0106515	06-12-2003	Kondo	
		US- 2004/0083719	05-06-2004	Xu et al	
		US- 2004/0103867	06-03-2004	Hayase et al	

FOREIGN PATENT DOCUMENTS

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/805,639
				Filing Date	March 19, 2004
				First Named Inventor	Donald J. Lewis
				Art Unit	3747
				Examiner Name	Noah Kamen
Sheet	4	of	4	Attorney Docket Number	81100256

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		KLUTING, FLIERL, GRUDNO and LUTTERMANN; MTZ Magazine, August 1999, "Drosselfreie Laststeuerung miy vollvariablen Ventiltrieben"	✓

Examiner Signature		Date Considered	
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